

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

In Re:	§	
	§	
CONTINUITY CONTROLS, LLC	§	Case No. 23-10690 SMR
	§	
Debtor	§	

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

RANDOLPH N. OSHEROW, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: 346.40 <i>(Without deducting any secured claims)</i>	Assets Exempt: NA
Total Distributions to Claimants: 24,760.50	Claims Discharged Without Payment: NA
Total Expenses of Administration: 5,239.50	

3) Total gross receipts of \$ 30,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$ 30,000.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$ NA	\$ NA	\$ NA	\$ NA
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	NA	5,239.50	5,239.50	5,239.50
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	NA	NA	NA	NA
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	NA	NA	NA	NA
GENERAL UNSECURED CLAIMS (from Exhibit 7)	NA	5,867,460.32	2,967,460.32	24,760.50
TOTAL DISBURSEMENTS	\$ NA	\$ 5,872,699.82	\$ 2,972,699.82	\$ 30,000.00

4) This case was originally filed under chapter 7 on 08/29/2023 . The case was pending for 12 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 09/03/2024 By: /s/RANDOLPH N. OSHEROW
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Office equipment including computer equipment	1129-000	5,000.00
All chapter 5 causes of action	1129-000	25,000.00
TOTAL GROSS RECEIPTS		\$ 30,000.00

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
NA		NA	NA
TOTAL FUNDS PAID TO DEBTOR & THIRD PARTIES			\$ 0.00

EXHIBIT 3 – SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA	NA
TOTAL SECURED CLAIMS			\$ NA	\$ NA	\$ NA	\$ NA

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
TRUSTEE COMPENSATION:RANDOLPH N. OSHEROW, TRUSTEE	2100-000	NA	3,750.00	3,750.00	3,750.00
TRUSTEE EXPENSES:RANDOLPH N. OSHEROW, TRUSTEE	2200-000	NA	223.51	223.51	223.51
Axos Bank	2600-000	NA	66.99	66.99	66.99
CLERK, U.S. BANKRUPTCY COURT	2700-000	NA	199.00	199.00	199.00
ACCOUNTANT FOR TRUSTEE FEES (OTHER FIRM):JANET RAKOWITZ	3410-000	NA	1,000.00	1,000.00	1,000.00
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		\$ NA	\$ 5,239.50	\$ 5,239.50	\$ 5,239.50

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA: NA	NA	NA	NA	NA	NA
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		\$ NA	\$ NA	\$ NA	\$ NA

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA	NA
TOTAL PRIORITY UNSECURED CLAIMS			\$ NA	\$ NA	\$ NA	\$ NA

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
000001	PATTERSON + SHERIDAN LLP	7100-000	NA	67,460.32	67,460.32	562.89
000002	PFP INDUSTRIES, LLC	7100-000	NA	2,900,000.00	2,900,000.00	24,197.61
000003	PFP INDUSTRIES, LLC	7100-000	NA	2,900,000.00	0.00	0.00
TOTAL GENERAL UNSECURED CLAIMS			\$ NA	\$ 5,867,460.32	\$ 2,967,460.32	\$ 24,760.50

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASESPage: 1
Exhibit 8Case No: 23-10690 SMR Judge: SHAD M. ROBINSON
Case Name: CONTINUITY CONTROLS, LLC

Trustee Name: RANDOLPH N. OSHEROW

Date Filed (f) or Converted (c): 08/29/23 (f)

341(a) Meeting Date: 10/06/23

For Period Ending: 09/03/24

Claims Bar Date: 02/26/24

1	2	3	4	5	6	7	8
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Adm (FA)/ Gross Value of Remain Assets	Lien Amount	Exempt Amount
1. Chase Bank checking ending 6713	96.40	0.00		0.00	FA	0.00	0.00
2. VFD motor controller	250.00	0.00		0.00	FA	0.00	0.00
3. Office equipment including computer equipment electric motor \$100 programable logic computer \$125 dell labtop computer \$150	375.00	5,000.00		5,000.00	FA	0.00	0.00
4. Siemens Programming Software non assignable non transferable	0.00	0.00		0.00	FA	0.00	0.00
5. All chapter 5 causes of action estimated value \$30,000	0.00	25,000.00		25,000.00	FA	0.00	0.00

TOTALS (Excluding Unknown Values)	\$721.40	\$30,000.00		\$30,000.00	\$0.00	\$0.00	\$0.00
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Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

motion to sell filed 12/28/23 December 29, 2023, 03:15 pm

Waiting on Asset purchase agreement 30k for all assets including chapter 5 causes of actionDecember
22, 2023, 01:33 pm

Initial Projected Date of Final Report (TFR): 12/31/24

Current Projected Date of Final Report (TFR): 12/31/24

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Exhibit 9

Case No: 23-10690 -SMR
Case Name: CONTINUITY CONTROLS, LLC

Trustee Name: RANDOLPH N. OSHEROW
Bank Name: Axos Bank
Account Number / CD #: 7632100002040 Checking Account (Non-Interest Earn)

Taxpayer ID No: 85-1353587
For Period Ending: 09/03/24

Blanket Bond (per case limit): \$ 197,925,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
C 11/28/23		SHIELD LAW, PLLC	SALE OF OFFICE ASSETS	1129-000	10,000.00		10,000.00
11/28/23	3	Asset Sales Memo:	Office equipment including computer equipment \$5,000.00				10,000.00
11/28/23	5	Asset Sales Memo:	All chapter 5 causes of action \$5,000.00 \$5000.00 of this \$10,000.00 deposit, relates to asset 5, all chapter 5 causes of action				10,000.00
C 12/28/23	002001	CLERK, U.S. BANKRUPTCY COURT	FILING FEE FOR DOC. #13, 12/28/23 12/28/2023, DOC. #13 - Trustee's Notice to Pay Filing Fee (\$199.00) (Osherow, Randolph) (related document(s): 12 Trustee's Motion to Sell Property Free and Clear of Liens 11USC 363(f), all assets of debtor's estate, (21 Day Objection Language).	2700-000		199.00	9,801.00
C 01/02/24		Axos Bank	BANK SERVICE FEE	2600-000		11.04	9,789.96
C 02/01/24		Axos Bank	BANK SERVICE FEE	2600-000		10.84	9,779.12
C 02/27/24		SHIELD LAW, PLLC 1810 SOUTHWEST BLVD, STE 300 HOUSTON, TX 77004-5947	SALE OF ASSETS	1129-000	20,000.00		29,779.12
02/27/24	5	Asset Sales Memo:	All chapter 5 causes of action \$20,000.00 Bank Serial #:				29,779.12
C 03/01/24		Axos Bank	BANK SERVICE FEE	2600-000		12.24	29,766.88
C 04/01/24		Axos Bank	BANK SERVICE FEE	2600-000		32.87	29,734.01
C 04/03/24	002002	JANET RAKOWITZ 11024 MACAWAY, #2 ADKINS, TEXAS 78101	PAYMENT PER DOC. #28, 4/3/24 04/03/2024, DOC. #28 - Order Authorizing (related document(s): 27 Application to Employ Janet Rakowitz of WYSI WYG Consulting, Accountant (21 Day Objection Language) filed by Randolph N Osherow for Trustee Randolph N Osherow) (Party Janet Rakowitz has been added to the case.) (Order entered on 4/3/2024) (Turner, Blayne).	3410-000		1,000.00	28,734.01
C 06/18/24	002003	RANDOLPH N. OSHEROW, TRUSTEE 342 W. Woodlawn Ave, Suite 100 San Antonio, TX 78212	Chapter 7 Compensation/Fees	2100-000		3,750.00	24,984.01
C 06/18/24	002004	RANDOLPH N. OSHEROW, TRUSTEE 342 W. Woodlawn Ave, Suite 100 San Antonio, TX 78212	Chapter 7 Expenses	2200-000		223.51	24,760.50
C 06/18/24	002005	PATTERSON + SHERIDAN LLP 24 Greenway Plaza, Suite 1600 Houston, TX 77046	Claim 000001, Payment 0.83440% (1-1) Account Number (last 4 digits):3163	7100-000		562.89	24,197.61
C 06/18/24	002006	PFP INDUSTRIES, LLC 14227 Fern St Houston, TX 77079	Claim 000002, Payment 0.83440% (2-1) Misappropriation of trade secrets litigation	7100-000		24,197.61	0.00

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Account	Balance Forward	0.00					
7632100002040	5 Deposits	30,000.00			6 Checks	29,933.01	
	0 Interest Postings	0.00			4 Adjustments Out	66.99	
					0 Transfers Out	0.00	
	Subtotal	\$ 30,000.00			Total	\$ 30,000.00	
	0 Adjustments In	0.00					
	0 Transfers In	0.00					
	Total	\$ 30,000.00					